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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

DA 93-879
FCC MAIL SECTION

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| In the Matter of |) | |
| |) | |
| Local Exchange Carriers' Rates for |) | |
| Expanded Interconnection for |) | CC Docket No. 93-162 |
| Special Access |) | |
| |) | |
| Bell Atlantic Telephone Companies, |) | |
| Revisions to Tariff F.C.C. No. 1 |) | Transmittal Nos. 584 and 585 |
| |) | |
| GTE System Telephone Companies |) | |
| Revisions to Tariff F.C.C. No. 1 |) | Transmittal No. 49 |
| |) | |
| GTE Telephone Operating Companies |) | |
| Revisions to Tariff F.C.C. No. 1 |) | Transmittal No. 802 |
| |) | |
| Southwestern Bell Telephone Company |) | Transmittal No. 2285 |
| Revisions to Tariff F.C.C. No 73 |) | |
| |) | |

MEMORANDUM OPINION AND ORDER

Adopted: August 4, 1993 ; Released: August 4, 1993

By the Associate Chief, Common Carrier Bureau:

1. On June 9, 1993, the Common Carrier Bureau (Bureau) released the Expanded Interconnection Tariff Order, which suspended the expanded interconnection tariffs of several local exchange carriers (LECs) and initiated an investigation into the lawfulness of those tariffs.¹ These tariffs were filed to comply with the Expanded Interconnection Order, which required most Tier 1 LECs to permit competitors and users to terminate their own special access transmission facilities at LEC central offices and interconnect with LEC special access services.² The Expanded Interconnection Order mandated interconnection through the provision of physical collocation. However, the Commission also decided to exempt particular central offices from the physical collocation requirement if LECs could make a factual showing that

¹ Ameritech Operating Companies, et. al, CC Docket No. 93-162, DA 93-657, released June 9, 1993 (Expanded Interconnection Tariff Order).

² Expanded Interconnection with Local Telephone Company Facilities, CC Docket No. 91-141, 7 FCC Rcd 7369 (1992) (Expanded Interconnection Order). The Expanded Interconnection Order excluded members of National Exchange Carrier Association (NECA) pools from this filing requirement. Puerto Rico Telephone Company is the only Tier 1 carrier participating in NECA pools. Expanded Interconnection Order, 7 FCC Rcd at 7398.

those offices did not have sufficient unused space for physical collocation.³

2. The Expanded Interconnection Tariff Order directed carriers to reflect changes in the general support facilities (GSF) allocation factor in their expanded interconnection rates.⁴ Simultaneously with their compliance filings, Bell Atlantic Telephone Company (Bell Atlantic) and Southwestern Bell Telephone Company (Southwestern Bell) proposed other revisions related to expanded interconnection rates.⁵ Bell Atlantic intends to reduce its DS1 and DS3 connection rates to reflect removal of the network cable rack between the collocater's cage and Bell Atlantic's network.⁶ Southwestern Bell's original expanded interconnection offering permitted interconnectors to use only 100 AMPS of direct current (DC) voltage to interconnectors' cages. Southwestern Bell plans to add an optional rate element for 40 AMPS of DC voltage.⁷ No petitions were filed against either of these tariffs.

3. Also on June 9, 1993, the Bureau ordered Bell Atlantic and GTE Service Corporation (GTE)⁸ to file physical collocation tariffs for specific central offices for which their petitions for exemption were denied.⁹ These tariffs were filed on July 9, 1993, with a scheduled effective date of August 9, 1993 for Bell Atlantic, and August 8, 1993, for the GTE tariffs. No petitions have been filed against any of these tariffs.

4. For the same reasons stated in the Expanded Interconnection Tariff Order, the rates before us raise significant questions of lawfulness regarding cost allocations, rate levels, rate structures, and terms and conditions of

³ Expanded Interconnection Order, 7 FCC Rcd at 7390-91 (para. 41), 7407-08 (paras. 77-80), n.190.

⁴ Expanded Interconnection Tariff Order, para. 41. See also Amendment of the Part 69 Allocation General Support Facility Costs, CC Docket No. 92-222, 8 FCC Rcd 3697 (1993).

⁵ Specifically, Bell Atlantic filed Transmittal No. 585 on July 16, 1993, on 45 days notice, and Southwestern Bell filed Transmittal No. 2285 on July 14, 1993, on 45 days notice.

⁶ Bell Atlantic Transmittal No. 585, Description and Justification (D&J) at 1-2.

⁷ Southwestern Bell Transmittal No. 2285, D&J at 1.

⁸ GTE does business as the GTE affiliated Telephone Operating Companies and the GTE System Telephone Companies.

⁹ Expanded Interconnection with Local Telephone Company Facilities, Petitions for Exemption from Physical Collocation Requirement, CC Docket No. 91-141, DA 93-658 (released June 9, 1993) at paras. 15-16 (Exemption Order). Bell Atlantic filed Transmittal No. 584, GTE Telephone Operating Companies filed Transmittal No. 802, and GTE System Telephone Companies filed Transmittal No. 49.

service.¹⁰ Accordingly, the transmittals will become effective following a one-day suspension, and be included in the investigation initiated in the Expanded Interconnection Tariff Order.¹¹ These rates will also be subject to an accounting order to facilitate any refunds that later prove necessary.¹²

5. Accordingly, IT IS ORDERED that Bell Atlantic Telephone Companies and Southwestern Bell Telephone Company SHALL FILE tariff revisions, to be effective on August 6, 1993, in order to advance the effective date of Bell Atlantic Transmittal No. 585 and Southwestern Bell Transmittal No. 2285.

6. IT IS FURTHER ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, 47 U.S.C. § 204(a), and Section 0.291 of the Commission's Rules, 47 C.F.R. § 0.291, the tariff revisions contained in the tariff transmittals referenced above ARE SUSPENDED for one day and an investigation of the referenced tariff transmittals IS INSTITUTED.

7. IT IS FURTHER ORDERED that the local exchange carriers listed above SHALL FILE tariff revisions reflecting the suspension no later than five days from the release date of this Order.

8. IT IS FURTHER ORDERED that, for these purposes, we waive Sections 61.56, 61.58 and 61.59 of the Commission's Rules, 47 C.F.R. §§ 61.56, 61.58, 61.59, and assign Special Permission No. 93-659.

9. IT IS FURTHER ORDERED that, pursuant to Section 204(a) of the Communications Act of 1934, 47 U.S.C. § 204(a), the local exchange carriers listed above shall keep accurate account of all amounts received by reason of the rates that are the subject of this investigation.

FEDERAL COMMUNICATIONS COMMISSION



Jill Ross Meltzer
Associate Chief
Common Carrier Bureau

¹⁰ Expanded Interconnection Tariff Order, para. 7.

¹¹ Bell Atlantic and Southwestern Bell are also required to advance the effective dates of Bell Atlantic Transmittal No. 585 and Southwestern Bell Transmittal No. 2285 to August 6, 1993. These tariffs will be suspended for one day, and then take effect.

¹² The Bureau has designated issues in this investigation. See Local Exchange Carriers' Rates, Terms, and Conditions for Expanded Interconnection for Special Access, CC Docket No. 93-162, DA 93-951 (released July 23, 1993).